

Introduced by Senator Runner

February 19, 2016

An act to amend Section 8810 of the Family Code, relating to adoption.

LEGISLATIVE COUNSEL'S DIGEST

SB 1370, as introduced, Runner. Family law: adoption.

Existing law governs petitions to adopt unmarried minors. Existing law requires prospective adoptive parents to pay a specified fee to the State Department of Social Services or to the delegated county adoption agency for the cost of investigating the adoption petition. Existing law requires half of that fee to be paid at the time the adoption petition is filed, and the remaining balance to be paid no later than the date determined by the department or the agency. Existing law authorizes the department or the agency to reduce the fee to no less than \$500 under certain circumstances.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8810 of the Family Code is amended to
2 read:
3 8810. (a) Except as otherwise provided in this section,
4 whenever a petition is filed under this chapter for the adoption of
5 a child, the petitioner shall pay a nonrefundable fee to the
6 department or to the delegated county adoption agency for the cost

1 of investigating the adoption petition. Fifty percent of the payment
2 shall be made to the department or delegated county adoption
3 agency at the time the adoption petition is filed, and the remaining
4 balance shall be paid no later than the date determined by the
5 department or the delegated county adoption agency in an amount
6 as follows:

7 (1) For petitions filed on and after October 1, 2008, four
8 thousand five hundred dollars (\$4,500).

9 (2) For petitioners who have a valid preplacement evaluation
10 less than one year old pursuant to Section 8811.5, or a valid private
11 agency adoption home study less than two years old at the time of
12 filing a petition, one thousand five hundred fifty dollars (\$1,550)
13 for a postplacement evaluation pursuant to Sections 8806 and 8807.

14 (b) Revenues produced by fees collected by the department
15 pursuant to subdivision (a) shall be used, when appropriated by
16 the Legislature, to fund only the direct costs associated with the
17 state program for independent adoptions. Revenues produced by
18 fees collected by the delegated county adoption agency pursuant
19 to subdivision (a) shall be used by the county to fund the county
20 program for independent adoptions.

21 (c) The department or delegated county adoption agency may
22 reduce the fee to no less than five hundred dollars (\$500)~~when if~~
23 the prospective adoptive parents are lower income, according to
24 the income limits published by the Department of Housing and
25 Community Development, and~~when if~~ making the required
26 payment would be detrimental to the welfare of an adopted child.
27 The department shall develop additional guidelines regarding
28 income and assets to determine the financial criteria for reduction
29 of the fee under this subdivision.